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E.O. 12958: N/A
TAGS: [HUMAN](#) [PHUM](#) [PREL](#) [EUN](#)
SUBJECT: DEMARCHE: HOLDING THE LINE ON UN COUNTRY-SPECIFIC
SPECIAL RAPPORTEURS

REF: GENEVA 975

11. (U) This is an action request. Please see paragraph 3.

SUMMARY

12. (SBU) The sixth regular session of the UN Human Rights Council (HRC) in June will chiefly address the final outstanding institution-building and transitional issues left over from the now-defunct UN Commission on Human Rights (CHR). The most contentious of these issues is what to do about the existing Special Rapporteur mandates, specifically those country mandates created under CHR agenda Item 9. Persistent rumors of a package deal whereby the Cuba and Belarus mandates would be eliminated to preserve Burma and North Korea mandates continue to circulate, but has not been formally proposed. Though the U.S. is not a member of the HRC, the U.S. strongly believes that no Item 9 country-specific mandate inherited by the HRC should be eliminated. (Note: The risk of loss of the Cuba and Belarus mandates are particularly high, as Cuba is a current member of the HRC. Belarus is running for a seat on the Council, and at present is likely to win on May 17. Both have already lobbied extensively to end the mandates for the country-specific Special Rapporteurs on Belarus and Cuba. End Note.) As no single HRC member is likely to successfully resist such a package, the U.S. will call upon a core group of HRC members to provide a center from which to fight the loss of any country-specific mandates. This effort will require heavy lifting from both the Department and Posts. End Summary.

OBJECTIVES

13. (SBU) Posts are instructed to pursue the following objectives:

-- Urge host governments to resist strongly the loss of any Item 9 country-specific mandates inherited by the HRC from the CHR.

-- Convey to governments deep concern that the acceptance of the rumored package deal to eliminate the mandates on Cuba

and Belarus to save all other mandates rewards the repressive Castro and Lukashenko regimes, and would also send the message that continued human rights violations are of little concern to the world community.

-- Remind host-governments that an institution-building phase that results in the loss of the Cuba and Belarus mandates would critically undermine the HRC "institutional gains" and would constitute a pyrrhic victory.

-- Urge host governments to work with other like-minded HRC members to resist the erosion of one of the most significant protective mechanisms in the HRC's arsenal.

-- Press host governments to lobby other HRC members to reject any package deal on country-specific or thematic mandates that compromises the ability of the HRC to monitor the human rights situation the world over.

REPORTING DEADLINE

¶4. (U) Posts should report results of efforts by cable to DRL/MLGA - Laura Jordan and IO/RHS - Deepa Ghosh before May ¶10.

BACKGROUND

¶5. (SBU) The Governments of Cuba and Belarus have demanded that both of their country mandates be eliminated, and they seem to have garnered the support in the Like-Minded Group, portions of the NAM, OIC, and African Groups. We continue to hear in public statements that Western Group members remain united in asserting that all country mandates (vote (Item 9) and consensus (Item 19)) be retained. Mission Geneva has heard, however, from Canada, Czech Republic, and a handful of others that they fear we may be fighting a losing battle. Japan has been very active in calling for the retention of all for the retention of all country mandates. The latest version of the facilitator's paper contains the following formulation: "66. Rationalized mandates could newly operate within unified cycle (e.g. two years for thematic and country mandates). Mandates could be extended in four different groups, according to their original date of expiration. The mandate-holders approaching or exceeding the maximum length of function (i.e. 6 years) should be replaced, while reflecting on the administrative burden to establish new selection procedure. Rationalized mandates could be reviewed again when up for renewal, in order to enable the stable surrounding of a system." This leaves the Item 9 country mandates immediately vulnerable, since former practice under the Commission was to renew the mandates annually.

POINT OF CONTACT

¶6. (U) Please contact DRL/MLGA - Laura Jordan at 202-647-0293 or via email for further information or argumentation to meet our objectives. Department appreciates Embassy assistance on this important issue.
RICE